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MT LEGISLATIVE HISTORY

Chapter 596 1987

Bill H 361 S _____ Original bill & hist. ✓C

H. Committee on Taxation		S. Committee on Taxation	
Hearing Date(s) _____	___C	Hearing Date(s) _____	___C
2/11	✓C	NO RECORD	___C
_____	___C	OF HEARING	?C
_____	___C	_____	___C
Date Out 2/11	✓C	4/10	✓C

Did this bill originate in an interim committee? ___Yes ✓No

Committee _____ Report _____

INTRODUCED BY House BILL NO. 361
Ramirez Mercer

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT NEW VALUES RESULTING FROM PROPERTY TAX REVALUATION ARE NOT PLACED ON THE TAX ROLLS UNTIL 1 YEAR AFTER THE END OF THE REVALUATION CYCLE; REQUIRING TAXPAYERS TO APPEAL NEW VALUES BEFORE THEY ARE PLACED ON THE TAX ROLLS; AND AMENDING SECTION 15-7-111, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 15-7-111, MCA, is amended to read:

"15-7-111. Periodic revaluation of taxable property -- appeal of revaluations. (1) The department of revenue shall administer and supervise a program for the revaluation of all taxable property within the state at least every 5 years. A comprehensive written plan of rotation shall be promulgated by the department fixing the order of revaluation of property in each county on the basis of the last revaluation of taxable property in each county prior to July 1, 1974, in order to adjust the disparities therein between the counties. The plan of rotation so adopted shall provide that all property in each county shall be revalued at least every 5 years or that no less than 20% of the property in each county shall be revalued in each year. The department shall furnish a copy of the plan and all amendments thereto to each county assessor and the board of county commissioners in each county.

(2) The new values determined during a revaluation cycle must be provided to the taxpayers at the end of the revaluation cycle but may not be placed on the tax rolls until 1 year following the completion of the revaluation cycle.

(3) A taxpayer shall appeal the new value in advance of its placement on the tax rolls by filing an appeal pursuant to 15-15-102 before the first Monday in June or 15 days after receiving notice of the new valuation amount, whichever is later, or be barred from appealing for untimeliness."

NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act.

-End-

LC 0317/01

INTRODUCED BILL
HB-361

HOUSE BILL NO. 361

INTRODUCED BY RAMIREZ, MERCER

IN THE HOUSE

JANUARY 21, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON TAXATION.
FEBRUARY 11, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 12, 1987	PRINTING REPORT.
FEBRUARY 13, 1987	SECOND READING, DO PASS.
FEBRUARY 14, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 93; NOES, 1.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 16, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON TAXATION.
MARCH 24, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 26, 1987	ON MOTION, TAKEN FROM SECOND READING AND REREFERRED TO COMMITTEE ON TAXATION.
APRIL 11, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
APRIL 14, 1987	SECOND READING, CONCURRED IN.
	ON MOTION, RULES SUSPENDED TO PLACE BILL ON THIRD READING THE 83RD LEGISLATIVE DAY.

APRIL 14, 1987 — THIRD READING, CONCURRED IN.
AYES, 50; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 15, 1987 — RECEIVED FROM SENATE.

SENT TO ENROLLING.

HOUSE BILL NO. 361

INTRODUCED BY RAMIREZ, MERCER

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT NEW VALUES RESULTING FROM PROPERTY TAX REVALUATION ARE NOT PLACED ON THE TAX ROLLS UNTIL 1 YEAR AFTER THE END OF THE REVALUATION CYCLE; REQUIRING TAXPAYERS TO APPEAL NEW VALUES BEFORE THEY ARE PLACED ON THE TAX ROLLS; AND AMENDING SECTION 15-7-111, MCA."

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NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act.

-End-

50th LEGISLATIVE SESSION

TAXATION COMMITTEE HOUSE

HOUSE BILL NUMBER	ENTERED COM. DATE	DATE CONSIDERED	OUT OF COM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMENDED DATE	DO NOT PASS AS AMENDED DATE	BE CONCURRED IN DATE	BE NOT CONCURRED IN DATE	BE CONCURRED IN AMENDED DATE	BE NOT CONCUR IN A AMEND DATE
337	1/21/87	2/11/87	2/11/87	tabled							
361	1/21/87	2/11/87		2/11/87							
369	1/21/87		1/29/87	tabled							
375	1/21/87	2/10/87	2/12/87	tabled							
377	1/21/87	2/4/87				3/19/87					
383	1/21/87	2/11/87	2/11/87	tabled							
384	1/21/87	2/11/87	2/11/87	tabled							
387	1/21/87	2/5/87				2/6/87					
395	1/22/87	2/16/87				3/19/87					
409	1/22/87	2/5/87		3/16/87							
412	1/23/87	2/11/87			2/20/87						
428	1/26/87	2/5/87		2/5/87							
436	1/26/87	2/11/87				3/19/87					
444	1/26/87	2/13/87	3/18/87	tabled							

Use a separate sheet for Senate Bills, House Bills, and Resolutions.

MINUTES OF THE MEETING
TAXATION COMMITTEE
HOUSE OF REPRESENTATIVES
50TH LEGISLATIVE SESSION

February 11, 1987

The meeting of the Taxation Committee was called to order by Chairman Ramirez, on February 11, 1987, at 9 a.m. in Room 312B of the State Capitol.

ROLL CALL: All members were present. Also present was Dave Bohyer, Researcher, Legislative Council.

CONSIDERATION OF HOUSE BILL NO. 361: Rep. Jack Ramirez, House District #87, sponsor of HB 361, said the bill simply provides for a one year period to sort out new property tax valuations.

PROPONENTS OF HOUSE BILL NO. 361: Greg Groepper, Administrator, Property Assessment Division, DOR, told the Committee he supported the concept outlined in the bill.

Bob Helding, Montana Association of Realtors, said HB 361 is a very good bill, allowing the average taxpayer a chance to look at his or her tax situation and to appeal tax assessments, if necessary.

Dennis Burr, Montana Taxpayers Association, stated his support of the bill.

OPPONENTS OF HOUSE BILL NO. 361: There were no opponents of the bill.

QUESTIONS ON HOUSE BILL NO. 361: Rep. Patterson asked how many appeals were pending before the STAB right now. Greg Groepper replied 10,900 appeals had been filed and that an additional 3,000 appeals need to be heard at the county level. He said STAB has 21,000 appeals for this appraisal cycle, or approximately 2.2% of appraisals.

CLOSING ON HOUSE BILL NO. 361: Rep. Ramirez made no closing comments.

CONSIDERATION OF HOUSE BILL 436: Rep. Jack Ramirez, House District #87, sponsor of HB 436, said the bill is extremely important in that it provides for annual appraisals, rather than continue the five-year appraisal cycle. He explained that if the five-year cycle is continued, the state will eventually end up with lower and lower taxable percentage rates.

Rep. Ramirez advised that appraisals on personal property are completed on an annual basis, at about 4.5% of market

QUESTIONS ON HOUSE BILLS NO. 383 AND 384: Rep. Williams asked Rep. Rapp-Svrcek if he wanted to return appraisals to the counties. Rep. Rapp-Svrcek replied that, for practical purposes, it would be better to leave this responsibility with the state.

Rep. Koehnke asked if the bill addressed the sale of property to descendents for lesser sums of money. Rep. Rapp-Svrcek replied that a issue is addressed on page 17 of the bill.

Rep. Gilbert asked if the projected $850,000 savings in appraiser salaries were annually or biennially, and asked Rep. Rapp-Svrcek if he really wanted to put an additional $7,767,000 burden on taxpayers, as indicated by the fiscal note. Rep. Rapp-Svrcek replied that the $7,767,000 referred to in the fiscal note pertains to new construction.

Chairman Ramirez asked if, assuming the bill was put into effect in 1940 and a family lived on property they purchased then for $5,000, while a new family purchases property next door today for $50,000, that would be equitable. There was no response.

Rep. Patterson asked if the bill included rental property. Rep. Rapp-Svrcek replied rental property is included in Class 20 property and, thus, in the bill.

Rep. Hoffman asked if the bills were similar to Proposition 13 in California. Rep. Rapp-Svrcek replied that the bills are somewhat similar, in that they allow for an annual decrease of 2%.

CLOSING ON HOUSE BILLS 383 AND 384: Rep. Rapp-Svrcek advised that land is not addressed in the bills, that they address housing only and include housing situated on agricultural land. He stated his concurrence with Chairman Ramirez' concern about equity, and asked the Committee to give the bills favorable consideration.

DISPOSITION OF HOUSE BILL NO. 361: Rep. Ellison made a motion that HB 361 DO PASS. The motion CARRIED unanimously (Rep. Hanson was excused and did not vote).

DISPOSITION OF HOUSE BILLS NO. 383 AND 384: Rep. Ellison commented that retired persons who may want to move to a smaller residence may be harmed by the bills.

Rep. Gilbert made a motion that HB 383 DO NOT PASS, and then withdrew his motion to make a substitute motion to TABLE the bill. The motion CARRIED, with all members voting aye except Rep. Keenan, who voted no.

DAILY ROLL CALL

HOUSE TAXATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 2-11-87

NAME	PRESENT	ABSENT	EXCUSED
REP. RAMIREZ	✓		
REP. ASAY	✓		
REP. ELLISON	✓		
REP. GILBERT	✓		
REP. HANSON	✓		
REP. HARP	✓		
REP. HARRINGTON	✓		
REP. HOFFMAN	✓		
REP. KEENAN	✓		
REP. KOEHNKE	✓		
REP. PATTERSON	✓		
REP. RANEY	✓		
REP. REAM	✓		
REP. SANDS	✓		
REP. SCHYE	✓		
REP. WILLIAMS	✓		

CS-30

VISITORS' REGISTER

TAXATION COMMITTEE

BILL NO. HB 361 DATE 2-11-87

SPONSOR RAMIREZ

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
BOB HELDING	MT. ASSOC. REALTORS	✓	
Michael Matteson	Assoc. Students of U of M		
Marvin Barber	MT assessors assoc	-	
Bryan McEntee	Missoula Chamber of Commerce		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

STANDING COMMITTEE REPORT

FEBRUARY 11 19 87

Mr. Speaker: We, the committee on HOUSE TAXATION

report HOUSE BILL NO. 361

XX do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

Representative Jack Ramirez, Chairman

FIRST reading copy (WHITE color)

SENATE

CHAIRMAN: SEN. GEORGE MCCALLUM

NORMAL SCHEDULE - SEE BELOW AS AM

HAVE BEEN VOTED UPON

--BILL NO--	--REFER DATE--	--HEARING DATE--	--CONSIDERATION DATE--	--EXECUTIVE ACTION--		
HB0222	3/20	3/28		CONCUR		3/27
THOMAS, FRED			ALLOW CERTAIN MT. CORPS. TO FILE CONSOLIDATED CORPORATION INCOME TAX RETURN			
HB0231	2/02	3/18		CONCUR		3/18
FRITZ, HARRY			INCREASE UTILITY TAX CREDIT FOR LOANS TO CONSUMERS FOR ENERGY CONSERVATION			
HB0234	2/10	3/18	3/19			
MENAHAN, RED			LIMIT TO IMMEDIATELY PREVIOUS YEAR ANY BACK TAXES OR FEES OWED ON A BOAT			
HB0252	3/09	3/17	3/19			
HANSON, MARIAN			REDUCING COAL SEVERANCE TAX			
HB0315	2/13	3/18		ADVERSE REPORT		3/18
HOFFMAN, BOB			CHANGE ASSESSMENT DATE OF LIVESTOCK			
HB0361	2/16	3/24		CONCUR	TAXATION	3/27
RAMIREZ, JACK			DELAY PLACEMENT OF NEW VALUES ON TAX ROLLS FOR 1 YEAR AFTER REVALUATION			
HB0361	3/26			CONCUR		4/10
RAMIREZ, JACK			DELAY PLACEMENT OF NEW VALUES ON TAX ROLLS FOR 1 YEAR AFTER REVALUATION			
HB0366	3/02	3/19	3/27	TABLED 3/19		
FRITZ, HARRY			INCREASE AMOUNT OF HOMESTEAD EXEMPTION TO $80,000 FROM $40,000			
HB0377	3/24	3/31	4/6, 4/7, 4/8, 4/9, 4/10	CONCUR AS AMENDED		4/10
RAMIREZ, JACK			ESTABLISH A 4% RETAIL SALES AND USE TAX; REDUCE STATEWIDE PROPERTY TAX			
HB0387	2/13	3/19		CONCUR AS AMENDED		3/27
KEENAN, NANCY			REQUIRING ADDITIONAL INFORMATION IN DEPT OF REVENUE'S BIENNIAL REPORT			
HB0409	3/20	3/25		CONCUR AS AMENDED		3/27
MILES, JOAN			REVISING THE CHILD AND DEPENDENT CARE DEDUCTION FOR MONTANA INCOME TAXES			

MONTANA STATE SENATE

TAXATION COMMITTEE

50TH LEGISLATURE

COMMITTEE MEMBERS: Senator George McCallum, Chairman
Senator Mike Halligan, V. Chairman
Senator Al Bishop
Senator Bob Brown
Senator Bruce Crippen
Senator Dorothy Eck
Senator Tom Hager
Senator Les Hirsch
Senator Ray Lybeck
Senator Joe Mazurek
Senator Ted Neuman
Senator Elmer Severson

STAFF ATTORNEY: Jim Lear

COMMITTEE SECRETARY: Aggie Hamilton

BOOK: 1 of 3

INCLUSIVE DATES: January 6 - February 25, 1987

sense to him to get it out of committee that way. A roll call vote was taken on Senator Crippen's motion and the motion failed 5-7, see attached.

Senator Mazurek would move language be inserted in this bill that states this would be a partial response to I-105.

Senator Crippen said who knows what I-105 said and how we should respond to it. I-105 was not a local issue, it was a statewide issue.

A roll call vote was taken on Senator Mazurek's motion and the motion failed 6-6, see attached.

Senator Mazurek made a motion that HB 782 BE CONCURRED IN.

Senator Crippen made a substitute motion that HB 782 BE LAYED ON THE TABLE. The motion carried 7-5, see attached roll call vote.

DISPOSITION OF HB 361: Senator Crippen made a motion that HB 361 BE CONCURRED IN. The motion carried with Senator Hager absent.

ADJOURNMENT: The meeting adjourned at 1:50 p.m.

SENATOR GEORGE McCALLUM, Chairman

ah

STANDING COMMITTEE REPORT

April 10 19 37

MR. PRESIDENT

We, your committee on SENATE TAXATION

having had under consideration HOUSE BILL No. 361

third reading copy (blue color)

RAMIREZ (BROWN)

DELAY PLACEMENT OF NEW VALUES ON TAX ROLLS FOR 1 YEAR AFTER REVALUATION

Respectfully report as follows: That HOUSE BILL No. 361

BE CONCURRED IN

~~DO PASS~~

~~DO NOT PASS~~

SENATOR GEORGE McCALLUM, Chairman.

ROLL CALL

TAXATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987 Date 4-10-87

NAME	PRESENT	ABSENT	EXCUSED
SENATOR CRIPPEN	✓		
SENATOR NEUMAN	✓		
SENATOR SEVERSON	✓		
SENATOR LYBECK	✓		
SENATOR HAGER	✓		
SENATOR MAZUREK	✓		
SENATOR ECK	✓		
SENATOR BROWN	✓		
SENATOR HIRSCH	✓		
SENATOR BISHOP	✓		
SENATOR HALLIGAN, VICE CHAIRMAN	✓		
SENATOR McCALLUM, CHAIRMAN	✓		

Each day attach to minutes.